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EXAMINER	
AMINI, JAVID A	
ART UNIT	**PAPER NUMBER**
2672	8

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/931,576	WILKINSON ET AL.	
	Examiner	Art Unit	
	Javid A Amini	2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 January 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 4-6, 9-10 and 13-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Arguments

Applicant's arguments filed January 16, 2004 have been fully considered but they are not persuasive.

Applicant on page 14, lines 16-22 argues that neither Dye nor Silverbrook, alone or in combination, teach or suggest a graphics driver that is configured to cause a computer to increment a visibility tag corresponding to the second drawing surface when a z-order ((definition of "z-order" from Applicant's specification in paragraph 0017 on page 1: z-order capabilities (i.e. windows can overlap, with foreground windows partially or fully obscuring background windows)) of the second drawing surface is changed, and to compute a new set of rectangular clip segments if the visibility tag corresponding to the second drawing surface is not the same as a visibility tag corresponding to the first drawing surface. Examiner's reply: Dye in col. 5, lines 49-60 discloses that the overlay method animates objects with transparency in a very efficient manner (visibility tag). The method used multiple windows workspace areas for the objects and also includes multiple pointers in the display refresh list to retrieve data for the two objects (foreground and background) involved in the overlay (similar to z-order). The method then performs a color comparison as the video traverses through the IMC during screen refresh. And also Dye in col. 2, lines 47-67 discloses that The graphics controller of the present invention is preferably comprised in an integrated memory controller (IMC) which includes advanced memory, graphics, and audio processing capabilities and performs pointer-based display list video operations according to the present invention. The IMC includes numerous significant advances which provide greatly increased performance over prior art systems. The memory controller (IMC) of the present invention preferably sits on the main CPU bus or a high

speed system peripheral bus such as the PCI bus. The IMC includes one or more symmetric memory ports for connecting to system memory. The IMC also includes video outputs, preferably RGB (red, green, blue) outputs as well as horizontal and vertical synchronization signal outputs, to directly drive the video display monitor. The IMC also preferably includes an audio interface for digital audio delivery to an external stereo digital-to-analog converter (DAC). Dye in col. 68, lines 3-10 discloses that IMC 140 may also provide improved support for clip lists. DirectDraw supports hardware level description of clip rectangles. Silverbrook in fig. 6 from band 1-4 explicitly illustrates a set of rectangular clip segment on top of two to four overlapped objects.

Examiner's recommendation: the Applicant should amend the claim language of "a visibility tag; and set of rectangular clip segments" to better reflect the intended scope of the claim invention. Applicant requires providing a clearer statement to justify the statement in paragraph 0089 that every change of the visible segment set increments a visibility tag (`visTag`), which is also stored as a `DrawingSurface` attribute. Applicant should specify the significant of configurations and specifications of the graphics driver. How does the graphics driver configured (manually, automatically)?

Examiner's suggestion: The Applicant is invited to have a telephone interview.

Double Patenting

Applicant is advised that should claims 1, 6, 10, 14, 16 and 18 be found allowable, claims 1, 6, 10, 14, 16 and 18 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing

one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Examiner's note: Claims 1 and 14 are duplicated. Claims 6 and 16 are duplicated. Claims 10 and 18 are duplicated.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 4-6, 9-10 and 13-28 rejected under 35 U.S.C. 103(a) as being unpatentable over Dye U.S. Patent 5,838,334; and further in view of Silverbrook.

1. Claims 1 and 14.

Dye in (col. 3, lines 59-66) teaches "a computing device executing a graphics rendering software program providing instructions to one or more processors to render graphics on a display, the computing device configured to establish a (Dye in Fig. 3, NIC 134, teaches) network connection with at least one other computing device, comprising: But Dye does not explicitly illustrate a set of rectangular clip segment on top of two to more overlapped objects, as Silverbrook illustrated in fig. 6. Silverbrook in Figs. 4-6 teaches "a graphics driver for rendering a plurality of drawing surfaces, including a first drawing surface and a second drawing surface, on the display". Silverbrook in Figs. 4-6 teaches, "the graphics driver is configured to render the first drawing surface at least partially overlapping the second drawing surface on the display". Silverbrook in Fig. 6, from band 1-4 teaches, "the first drawing surface is rendered as partially overlapping the

second drawing surface, a visible portion of the second drawing surface is computed as a set of rectangular clip segments. "Wherein the graphics driver is further configured to increment a visibility tag corresponding to the second drawing surface when a z-order ((definition of "z-order" from Applicant's specification in paragraph 0017 on page 1: z-order capabilities (i.e. windows can overlap, with foreground windows partially or fully obscuring background windows)) of the second drawing surface is changed, and to compute a new set of rectangular clip segments if the visibility tag corresponding to the second drawing surface is not the same as a visibility tag corresponding to the first drawing surface". Dye in col. 5, lines 49-60 discloses that the overlay method animates objects with transparency in a very efficient manner (visibility tag). The method used multiple windows workspace areas for the objects and also includes multiple pointers in the display refresh list to retrieve data for the two objects (foreground and background) involved in the overlay (similar to z-order). The method then performs a color comparison as the video traverses through the IMC during screen refresh. And also Dye in col. 2, lines 47-67 discloses that The graphics controller of the present invention is preferably comprised in an integrated memory controller (IMC) which includes advanced memory, graphics, and audio processing capabilities and performs pointer-based display list video operations according to the present invention. The IMC includes numerous significant advances which provide greatly increased performance over prior art systems. The memory controller (IMC) of the present invention preferably sits on the main CPU bus or a high speed system peripheral bus such as the PCI bus. The IMC includes one or more symmetric memory ports for connecting to system memory. The IMC also includes video outputs, preferably RGB (red, green, blue) outputs as well as horizontal and vertical synchronization signal outputs, to directly

drive the video display monitor. The IMC also preferably includes an audio interface for digital audio delivery to an external stereo digital-to-analog converter (DAC). Dye in col. 68, lines 3-10 discloses that IMC 140 may also provide improved support for clip lists. DirectDraw supports hardware level description of clip rectangles. Silverbrook in fig. 6 from band 1-4 explicitly illustrates a set of rectangular clip segment on top of two to four overlapped objects. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Silverbrook into Dye in order to have simplicity of Silverbrook to optimize for speed, and the compatibility of Dye with other applications.

2. Claim 2.

Canceled.

3. Claim 3.

Canceled.

4. Claim 4.

Dye in Fig. 16 teaches the step of "the first drawing surface and the second drawing surface, including both the visible portion and an obscured portion, comprise rectangular borders". Also Silverbrook in Fig. 6 teaches rectangular borders.

5. Claim 5.

Dye in Fig. 16 teaches the step of "each rectangular clip segment of the set of rectangular clip segments is iteratively output to the display for displaying the visible portion of the second drawing surface".

6. Claims 6 and 16.

See also rejection of claim 1. Dye in (col. 3, lines 59-66) teaches "a graphics rendering software program providing instructions to one or more processors to render graphics on a display, the computing device configured to establish (Dye in Fig. 3, NIC 134, teaches) a network connection with at least one other computing device, comprising: Dye in Fig. 5 teaches graphics engine 212 and execution engine 210. Silverbrook in Figs. 4-6 teaches "a graphics driver for rendering a plurality of drawing surfaces, including a first drawing surface and a second drawing surface, on a display of the embedded computing device". Silverbrook in Figs. 4-6 teaches, "the graphics driver is configured to render the first drawing surface at least partially overlapping the second drawing surface on the display". Silverbrook in Fig. 6, from band 1-4 teaches, "when the first drawing surface is rendered as partially overlapping the second drawing surface, a visible portion of the second drawing surface is computed as a set of rectangular clip segments". The step of "the set of rectangular clip segments is stored as a graphics context object corresponding to unobscured segments of the second drawing surface" is obvious because, the rectangular clip segments is stored, whether corresponds to either unobscured or to obscured segments. "Wherein the graphics driver is further configured to increment a visibility tag corresponding to the second drawing surface when a z-order ((definition of "z-order" from Applicant's specification in paragraph 0017 on page 1: z-order capabilities (i.e. windows can overlap, with foreground windows partially or fully obscuring background windows)) of the second drawing surface is changed, and to compute a new set of rectangular clip segments if the visibility tag corresponding to the second drawing surface is not the same as a visibility tag corresponding to the first drawing surface". Dye in col. 5, lines 49-60 discloses that the overlay method animates objects with transparency in a very efficient manner (visibility tag). The method used multiple

windows workspace areas for the objects and also includes multiple pointers in the display refresh list to retrieve data for the two objects (foreground and background) involved in the overlay (similar to z-order). The method then performs a color comparison as the video traverses through the IMC during screen refresh. And also Dye in col. 2, lines 47-67 discloses that The graphics controller of the present invention is preferably comprised in an integrated memory controller (IMC) which includes advanced memory, graphics, and audio processing capabilities and performs pointer-based display list video operations according to the present invention. The IMC includes numerous significant advances which provide greatly increased performance over prior art systems. The memory controller (IMC) of the present invention preferably sits on the main CPU bus or a high speed system peripheral bus such as the PCI bus. The IMC includes one or more symmetric memory ports for connecting to system memory. The IMC also includes video outputs, preferably RGB (red, green, blue) outputs as well as horizontal and vertical synchronization signal outputs, to directly drive the video display monitor. The IMC also preferably includes an audio interface for digital audio delivery to an external stereo digital-to-analog converter (DAC). Dye in col. 68, lines 3-10 discloses that IMC 140 may also provide improved support for clip lists. DirectDraw supports hardware level description of clip rectangles. Silverbrook in fig. 6 from band 1-4 explicitly illustrates a set of rectangular clip segment on top of two to four overlapped objects. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Silverbrook into Dye in order to have simplicity of Silverbrook to optimize for speed, and the compatibility of Dye with other applications.

7. Claim 7.

Canceled.

8. Claim 8.

Canceled.

9. Claim 9.

Dye in Fig. 16 teaches the step of "the first drawing surface and the second drawing surface, including both the visible portion and an obscured portion, comprise rectangular borders". Also Silverbrook in Fig. 6 teaches rectangular clips.

10. Claims 10 and 18.

See rejection of claim 1. Dye in (col. 3, lines 59-66) teaches "a graphics rendering software program providing instructions to one or more processors to render graphics on a display, the computing device configured to establish (Dye in Fig. 3, NIC 134, teaches) a network connection with at least one other computing device, comprising: Silverbrook in Figs. 4-6 teaches "a graphics driver rendering a plurality of drawing surfaces, including a first drawing surface and a second drawing surface, on the display, and". Silverbrook in Figs. 4-6 teaches, "the graphics driver is configured to render the first drawing surface at least partially overlapping the second drawing surface on the display". Silverbrook in Fig. 6, from band 1-4 teaches, "when the first drawing surface is rendered as partially overlapping the second drawing surface, a visible portion of the second drawing surface is computed as a set of rectangular clip segments". The step of "the set of rectangular clip segments is stored as a graphics context object corresponding to unobscured segments of the second drawing surface", is obvious because, the rectangular clip segments is stored, whether corresponds to either unobscured or to obscured segments. Silverbrook in Fig. 6, from band 1-4 teaches, "rectangular clip segment of the set of rectangular

clip segments is iteratively output to the display for displaying the visible portion of the second drawing surface". "Wherein the graphics driver is further configured to increment a visibility tag corresponding to the second drawing surface when a z-order ((definition of "z-order" from Applicant's specification in paragraph 0017 on page 1: z-order capabilities (i.e. windows can overlap, with foreground windows partially or fully obscuring background windows)) of the second drawing surface is changed, and to compute a new set of rectangular clip segments if the visibility tag corresponding to the second drawing surface is not the same as a visibility tag corresponding to the first drawing surface". Dye in col. 5, lines 49-60 discloses that the overlay method animates objects with transparency in a very efficient manner (visibility tag). The method used multiple windows workspace areas for the objects and also includes multiple pointers in the display refresh list to retrieve data for the two objects (foreground and background) involved in the overlay (similar to z-order). The method then performs a color comparison as the video traverses through the IMC during screen refresh. And also Dye in col. 2, lines 47-67 discloses that The graphics controller of the present invention is preferably comprised in an integrated memory controller (IMC) which includes advanced memory, graphics, and audio processing capabilities and performs pointer-based display list video operations according to the present invention. The IMC includes numerous significant advances which provide greatly increased performance over prior art systems. The memory controller (IMC) of the present invention preferably sits on the main CPU bus or a high speed system peripheral bus such as the PCI bus. The IMC includes one or more symmetric memory ports for connecting to system memory. The IMC also includes video outputs, preferably RGB (red, green, blue) outputs as well as horizontal and vertical synchronization signal outputs, to directly

drive the video display monitor. The IMC also preferably includes an audio interface for digital audio delivery to an external stereo digital-to-analog converter (DAC). Dye in col. 68, lines 3-10 discloses that IMC 140 may also provide improved support for clip lists. DirectDraw supports hardware level description of clip rectangles. Silverbrook in fig. 6 from band 1-4 explicitly illustrates a set of rectangular clip segment on top of two to four overlapped objects. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Silverbrook into Dye in order to have simplicity of Silverbrook to optimize for speed, and the compatibility of Dye with other applications.

11. Claim 11.

Canceled.

12. Claim 12.

Canceled.

13. Claim 13.

Dye in Fig. 16 teaches the step of "the first drawing surface and the second drawing surface, including both the visible portion and an obscured portion, comprise rectangular borders". Also Silverbrook in Fig. 6 teaches rectangular borders.

14. Claim 15.

The steps of "the computing device of Claim 14, wherein the graphics driver includes: a shape function layer including a target architecture specific instruction set for setting and retrieving pixel numbers, respectively, into and from a one-dimensional frame buffer memory; a frame buffer access macro layer including a set of macros for in lining into the shape function layer." are obvious, because these functions are part of the graphics driver.

15. Claim 17.

The steps of "the computing device of Claim 16, wherein the graphics driver includes: a shape function layer including a target architecture specific instruction set for setting and retrieving pixel numbers, respectively, into and from a one-dimensional frame buffer memory; and a frame buffer access macro layer including a set of macros for in lining into the shape function layer" are obvious, because these functions are part of the graphics driver.

16. Claim 19.

The steps of "the computing device of Claim 18, wherein the graphics driver includes: a shape function layer including a target architecture specific instruction set for setting and retrieving pixel numbers, respectively, into and from a one-dimensional frame buffer memory; and a frame buffer access macro layer including a set of macros for in lining into the shape function layer" are obvious, because these functions are part of the graphics driver.

17. Claim 20.

See also rejection of claim 1. Dye in (col. 3, lines 59-66) teaches "a method of rendering graphics including overlapping drawing surfaces on a display of an embedded computing device configured for establishing (Dye in Fig. 3, NIC 134, teaches) a network connection with at least one other computing device, comprising the steps of: Silverbrook in (col. 3, lines 10-49) teaches the step of "computing a set of clip segments corresponding to a visible portion of a partially obscured drawing surface". Silverbrook in Figs. 4-6 teaches, "rendering the partially obscured drawing surface along with an overlapping drawing surface on the display". "incrementing a visibility tag corresponding to the partially obscured drawing surface when a z-order of the partially obscured drawing surface is changed, and computing a new set of rectangular clip

segments if the visibility tag corresponding to the partially obscured drawing surface is not the same as a visibility tag corresponding to the overlapping drawing surface". Dye in col. 5, lines 49-60 discloses that the overlay method animates objects with transparency in a very efficient manner (visibility tag). The method used multiple windows workspace areas for the objects and also includes multiple pointers in the display refresh list to retrieve data for the two objects (foreground and background) involved in the overlay (similar to z-order). The method then performs a color comparison as the video traverses through the IMC during screen refresh. And also Dye in col. 2, lines 47-67 discloses that The graphics controller of the present invention is preferably comprised in an integrated memory controller (IMC) which includes advanced memory, graphics, and audio processing capabilities and performs pointer-based display list video operations according to the present invention. The IMC includes numerous significant advances which provide greatly increased performance over prior art systems. The memory controller (IMC) of the present invention preferably sits on the main CPU bus or a high speed system peripheral bus such as the PCI bus. The IMC includes one or more symmetric memory ports for connecting to system memory. The IMC also includes video outputs, preferably RGB (red, green, blue) outputs as well as horizontal and vertical synchronization signal outputs, to directly drive the video display monitor. The IMC also preferably includes an audio interface for digital audio delivery to an external stereo digital-to-analog converter (DAC). Dye in col. 68, lines 3-10 discloses that IMC 140 may also provide improved support for clip lists. DirectDraw supports hardware level description of clip rectangles. Silverbrook in fig. 6 from band 1-4 explicitly illustrates a set of rectangular clip segment on top of two to four overlapped objects. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was

made to incorporate the teaching of Silverbrook into Dye in order to have simplicity of Silverbrook to optimize for speed, and the compatibility of Dye with other applications.

18. Claim 21.

Silverbrook in Fig. 6, from band 1-4 teaches, "the clip segments corresponds to rectangular portions of the visible portion of the partially obscured drawing surface".

19. Claim 22.

Dye in Fig. 16 teaches the step of "the partially obscured drawing surface and the overlapping drawing surface comprise rectangular borders". Silverbrook in Fig. 6 teaches rectangular borders.

20. Claim 23.

The step of "storing the set of clip segments as a graphics context object corresponding to unobscured segments of the partially obscured drawing surface" is obvious because, the rectangular clip segments is stored, whether corresponds to either unobscured or to obscured segments.

21. Claim 24.

Silverbrook in Fig. 6, from band 1-4 teaches, "the clip segments corresponds to rectangular portions of the visible portion of the partially obscured drawing surface".

22. Claim 25.

Dye in Fig. 16 teaches the step of "the partially obscured drawing surface and the overlapping drawing surface comprise rectangular borders".

23. Claim 26.

Silverbrook in Fig. 6, from band 1-4 teaches, "the step of iteratively outputting each clip segment of the set of clip segments to the display for displaying the visible portion of the partially obscured drawing surface".

24. Claim 27.

The step of "the clip segments correspond to rectangular portions of the visible portion of the partially obscured drawing surface" is obvious because, the rectangular clip segments is stored, whether corresponds to either unobscured or to obscured segments.

25. Claim 28.

Dye in Fig. 16 teaches the step of "the partially obscured drawing surface and the overlapping drawing surface comprise rectangular borders". Silverbrook in Fig. 6 teaches rectangular borders.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A Amini whose telephone number is 703-605-4248. The examiner can normally be reached on 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 703-305-4713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Javid A Amini
Examiner
Art Unit 2672

Javid Amini

JEFFERY BRIER
PRIMARY EXAMINER